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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/507,534 | 09/13/2004 | Franz Amtmann | AT02 0013 US | 1375 |
| 24738 7590 01/04/2007 PHILIPS ELECTRONICS NORTH AMERICA CORPORATION INTELLECTUAL PROPERTY & STANDARDS 1109 MCKAY DRIVE, M/S-41SJ SAN JOSE, CA 95131 | | | EXAMINER YANG, CLARA I | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2612 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/04/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/507,534

Applicant(s)

AMTMANN ET AL.

Examiner

Clara Yang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 September 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because per 37 CFR 1.83(a), conventional features illustrated in the drawing as rectangular boxes must be labeled. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract of the disclosure is objected to because "Fig. 1" at the bottom of the abstract should be removed. Correction is required. See MPEP § 608.01(b).

Claim Objections

4. Claims 1-5 and 9-13 are objected to because of the following informalities:
- Claims 1 and 9: The claim limitations employ the phrase "suitable for contactless communication with transponders and with other communication stations" and "are designed for processing signals". It has been held that the recitation that an element is "suitable for" performing or is "designed for" performing a function is not a positive limitation but only requires the ability to so perform.
 - Claims 2-5 and 10-13: The claim limitations employ the phrase "are developed for processing". It has been held that the recitation that an element is "developed for" performing a function is not a positive limitation but only requires the ability to so perform.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Bonneau et al. (US 6,577,229).

Referring to claims 1 and 16, Bonneau, as shown in Figs. 2-4, teaches smart card communication device (SCCD) 104 having transceiver 209, which is an integrated circuit (see Col. 7, lines 1-6; Col. 9, lines 66-67; and Col. 10, line 1), comprising radio frequency (RF) circuit 214, digital signal processor (DSP) 210, and DSP EEPROM 230 (see Col. 7, lines 1-6 and Col. 9, lines 39-65). Per Bonneau, RF circuit 214 and DSP 210 perform modulation and demodulation

using the International Organization for Standardization (ISO) Type A smart card communication protocol (i.e., at least one transmission parameter) or the ISO Type B smart card communication protocol (i.e., at least one other transmission parameter) to enable communication between SCCD 104 and a Type A or B smart card 106 (see Col. 2, lines 17-37; Col. 7, lines 1-13; Col. 9, lines 39-45; Col. 10, lines 14-23 and 25-38; Col. 12, lines 51-67; Col. 13, lines 1-22, 36-38, and 46-67; and Col. 14, lines 1-57); thus Bonneau's RF circuit 214 and DSP 210 form (a) a first signal-processing means that processes signals and enables signals to be processed using the at least one transmission parameter when SCCS 104 communicates with an ISO Type A smart card 106 and (b) a second signal-processing means that processes other signals and enables other signals to be processed using at least one other transmission parameter when SCCS 104 communicates with an ISO Type B smart card 106, wherein the ISO Type A smart card communication protocol and the ISO Type B smart card communication protocol differ from each other.

Regarding claims 2 and 10, Bonneau discloses that RF circuit 214 and DSP 210, as shown in Figs. 3 and 4, comprise (a) Type A modulator 402 (i.e., a first encoding means) that modulates (i.e., encodes) and RF circuit 214's receiver portion and DSP 210 forming a first decoding means that demodulates (i.e., decodes) signals according to the ISO Type A smart card communication protocol, which specifies a first coding type (see Col. 2, lines 30-33; Col. 11, lines 61-67; Col. 12, lines 1-46 and 51-67; and Col. 13, lines 1-5), and (b) Type B modulator 412 (i.e., a second encoding means) that modulates and RF circuit 214's receiver portion and DSP 210 forming a second decoding means that demodulates signals according to the ISO Type B smart card communication protocol, which specifies a second coding type (see Col. 2, lines 33-37; Col. 11, lines 61-67; Col. 12, lines 1-46; and Col. 13, lines 6-22).

Regarding claims 3 and 11, Bonneau teaches that RF circuit 214 and DSP 210's first encoding means processes signals according to a 100% Modified Miller modulation scheme, which uses a Miller coding system, and the first decoding means processes signals according to an ASK-Manchester modulation scheme, which uses a Manchester coding system (see Col. 2, lines 30-33; Col. 12, lines 51-67; Col. 13, lines 1-5 and 46-67; and Col. 14, lines 1-24).

Regarding claims 4 and 12, Bonneau teaches that RF circuit 214 and DSP 210's second encoding means and second decoding means process signals according to Binary Phase Shift Keying-Non-Return to Zero (BPSK-NRZ) modulation, which uses an NRZ coding system (see Col. 2, lines 33-37; Col. 13, lines 6-22; and Col. 14, lines 25-57).

Regarding claims 5 and 13, Bonneau discloses that RF circuit 214 and DSP 210, as shown in Figs. 3 and 4, comprise (a) Type A modulator 402 (i.e., a first modulation means) that modulates and RF circuit 214's receiver portion and DSP 210 forming a first demodulation means that demodulates signals according to the ISO Type A smart card communication protocol, which specifies a first modulation type (see Col. 2, lines 30-33; Col. 11, lines 61-67; Col. 12, lines 1-46 and 51-67; and Col. 13, lines 1-5), and (b) Type B modulator 412 (i.e., a second modulation means) that modulates and RF circuit 214's receiver portion and DSP 210 forming a second demodulation means that demodulates signals according to the ISO Type B smart card communication protocol, which specifies a second modulation type (see Col. 2, lines 33-37; Col. 11, lines 61-67; Col. 12, lines 1-46; and Col. 13, lines 6-22).

Regarding claims 6 and 14, per Bonneau, Type A modulator 402 is formed by an amplitude modulation means in order to modulate signals using ASK modulation, and the first demodulation means is formed by an amplitude demodulation means in order to demodulated

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ASK modulated signals (see Col. 2, lines 30-33; Col. 12, lines 51-67; Col. 13, lines 1-5 and 46-67; and Col. 14, lines 1-24).

Regarding claims 7 and 15, per Bonneau, Type B modulator 412 is formed by a phase modulation means in order to modulate signals using BPSK modulation and the second demodulation means is formed by a phase demodulation means in order to demodulate BPSK modulated signals (see Col. 2, lines 33-37; Col. 13, lines 6-22; and Col. 14, lines 25-57).

Regarding claims 8 and 16, Bonneau discloses that the phase modulation means and the second demodulation means process signals according to the BPSK method (see Col. 2, lines 33-37; Col. 13, lines 6-22; and Col. 14, lines 25-57).

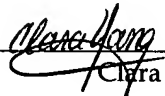
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clara Yang whose telephone number is (571) 272-3062. The examiner can normally be reached on Tuesdays, 1:00-2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CY
27 December 2006


Clara Yang